

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

In Re:

Case No. GG 13-05258

**HENRY P. HEMOND and
FRANCES S. HEMOND,**

Chapter 7; Filed: 6/27/13

Debtors.

Honorable James D. Gregg

MOTION TO COMPEL TURNOVER

NOW COMES Chapter 7 Trustee Jeff A. Moyer ("Trustee"), by and through his attorneys, The Bankruptcy Group, Inc., and states as his Motion to Compel Turnover to the Court the following:

1. On June 27, 2013, Henry P. Hemond and Frances S. Hemond ("Debtors" or "Hemonds") filed a joint voluntary Chapter 7 petition for relief under the Bankruptcy Code.
2. Jeff A. Moyer ("Trustee" or "Movant") is the duly-appointed, qualified and acting Chapter 7 Trustee in this case.
3. Upon running the Debtors' names through a government asset search, the asset search showed that three motorcycles were registered to the Debtors: a 2006 Harley Davidson FLHXI registered to Mr. Hemond and a 2005 Yamaha YZ450F, VIN JYACJ06C35A005525 and 2001 Yamaha XVS1100, VIN JYAVP11E31A014208 registered to Mrs. Hemond.
4. Based upon no motorcycles being disclosed or exempted on their Schedules B and C, and no disclosure of any motorcycles being garnished, repossessed, returned, transferred or gifted on their Statement of Financial Affairs, the Trustee requests turnover of the three undisclosed, non-exempt motorcycles, or proof of sales of each of the motorcycles if they have in fact been sold by the Debtors.

5. The personal property involved is not of inconsequential value nor without benefit to the estate.

6. Mr. and Mrs. Hemond are required to turnover the property and/or documentation in question to the Trustee and have not yet done so.

WHEREFORE, Trustee Jeff A. Moyer requests this Court to enter an Order granting the following relief:

A. Requiring the immediate turnover by Mr. and Mrs. Hemond the undisclosed, non-exempt 2006 Harley Davidson FLHXI, 2005 Yamaha YZ450F and 2001 Yamaha XVS1100;


B. Requiring the immediate turnover by Mr. and Mrs. Hemond the complete proof of sales for each of the motorcycles if any/all of the motorcycles have been sold; and

C. Grant such other or further relief as this Court deems just and proper.

Respectfully submitted,

THE BANKRUPTCY GROUP, INC.
Attorneys for Trustee Jeff A. Moyer

Dated: December 12, 2013

By: 
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